

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

*In re* Application of: Confirmation No.: 4521  
Erik Leonard Hoffman ) Group Art Unit: 3733  
Serial No. 10/037,318 ) Examiner: David C. Comstock  
Filed: November 7, 2001 ) Atty. Dkt. No. 005032.00011  
)

For: **FASTENING ELEMENT FOR AN IMPLANT, IN PARTICULAR A  
HIP PROSTHESIS**

**REQUEST FOR REFUND UNDER 37 C.F.R. § 1.26**

Mail Stop 16  
Director of the USPTO  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

It has come to our attention that large entity fees were paid in connection with an Amendment and Response to Final Office Action which was accompanied by an RCE filed June 25, 2008. Applicants claim small entity status, as indicated on the Verified Statement (Declaration) Claiming Small Entity Status filed on February 21, 2001. Please credit the difference in fees as outlined below to our Deposit Account No. 19-0733.

**Large Entity Fees Paid**

June 25, 2008	3 Month Extension	\$1050.00
	RCE	\$ 810.00
	<b>Total Paid</b>	<b>\$1860.00</b>

**Small Entity Fees Required**

June 25, 2008	3 Month Extension	\$ 525.00
	RCE	\$ 405.00
	<b>Total Refund Due:</b>	<b>\$ 930.00</b>

222 MARCH - C 2010: 5:9

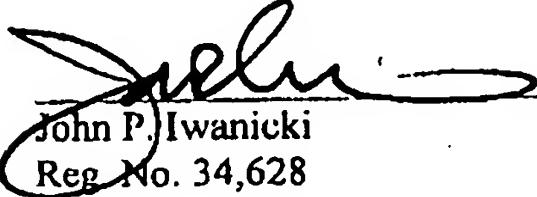
Applicants hereby request a refund of \$930.00 to be credited to Deposit  
Account No. 19-0733.

Respectfully submitted,

**BANNER & WITCOFF, LTD.**

Dated: March 2, 2009

By:

  
John P. Iwanicki  
Reg. No. 34,628

Customer No. 22910  
Banner & Witcoff, Ltd.  
28 State Street, 28<sup>th</sup> Floor  
Boston, MA 02109  
617-720-9600

# Electronic Patent Application Fee Transmittal

<b>Application Number:</b>	10037318								
<b>Filing Date:</b>	07-Nov-2001								
<b>Title of Invention:</b> Fastening element for an implant, in particular a hip prosthesis 03/10/2009 SDIRETA1 00000002 190733 10037318 01 FC:2801 405.00 DA 02 FC:2253 525.00 DA									
<b>First Named Inventor/Applicant Name:</b> Erik Leonard Hoffman <b>Filer:</b> Gregory J. Cohan/Cassandra Meyer <b>Attorney Docket Number:</b> 05032-00011									
<b>Filed as Large Entity</b>									
<b>Utility Filing Fees</b>									
<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 30%;">Description</th> <th style="width: 15%;">Fee Code</th> <th style="width: 15%;">Quantity</th> <th style="width: 15%;">Amount</th> <th style="width: 15%;">Sub-Total in USD(\$)</th> </tr> </thead> </table>					Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)					
<b>Basic Filing:</b>									
<b>Pages:</b>									
<b>Claims:</b>									
<b>Miscellaneous-Filing:</b>									
<b>Petition:</b>									
<b>Patent-Appeals-and-Interference:</b>									
<b>Post-Allowance-and-Post-Issuance:</b>									
<b>Extension-of-Time:</b>									
<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 30%;">Extension - 3 months with \$0 paid</td> <td style="width: 15%;">1253</td> <td style="width: 15%;">1</td> <td style="width: 15%;">1050</td> <td style="width: 15%;">1050</td> </tr> </table>					Extension - 3 months with \$0 paid	1253	1	1050	1050
Extension - 3 months with \$0 paid	1253	1	1050	1050					

Adjustment date: 03/10/2009 SDIRETH1  
 06/25/2008 INTEFSW 00008135 190733 10037318  
 01 FC:1253 1050.00 CR  
 02 FC:1801 810.00 CR

Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
<b>Miscellaneous:</b>				
Request for continued examination	1801	1	810	810
<b>Total in USD (\$)</b>				<b>1860</b>